United Nations S/AC.50/2008/59

Security Council

Distr.: General
19 September 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 18 September 2008 from the Permanent Mission of Hungary to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Hungary to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to Security Council resolution 1737 (2006), concerning Iran, and has the honour to provide the following information pursuant to paragraph 13 of resolution 1803 (2008) on the steps taken by the Government of the Republic of Hungary to implement operative paragraphs 3, 5, 7, 8, 9, 10 and 11 of resolution 1803 (2008).

The implementation by the Republic of Hungary of restrictive measures against Iran imposed by Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) is based both on measures adopted by the European Union and national measures.

As stated in its previous combined report (S/AC.50/2007/81) to the Committee, the Republic of Hungary, as a member State of the European Union (EU), implements the provisions of Security Council resolutions that fall within the scope of the competence of the EU by means of EU common positions and EU Council regulations, the latter being directly applicable in Hungary.

08-51207 (E) 240908

Annex to the note verbale dated 18 September 2008 from the Permanent Mission of Hungary to the United Nations addressed to the Chairman of the Committee

1. Measures adopted by the European Union

In order to jointly implement resolution 1737 (2006), the Council of the European Union adopted Council **Common Position 2007/140/CFSP** of 27 February 2007 and **Council Regulation (EC) No. 423/2007** of 19 April 2007 concerning restrictive measures against Iran. The latter is *entirely binding and directly applicable* in all member States of the European Union. The lists of persons and entities subject to restrictions annexed to the Regulation have been amended by **Commission Regulation (EC) No. 441/2007** (annex IV) and implemented by Council Decision 2007/242/EC.

In order to jointly implement resolution 1747 (2007) within the EU, the Council of the European Union adopted **Common Position 2007/246/CFSP** of 23 April 2007, which modifies Common Position 2007/140/CFSP, in order to give effect to the additional measures imposed by resolution 1747 (2007) and adopted **Council Regulation (EC) No. 618/2007** of 5 June 2007 to the same effect, which amended Council Regulation (EC) No. 423/2007 of 19 April 2007. **Commission Regulation (EC) No. 116/2008** of January 2008 further amended Council Regulation (EC) No. 423/2007 of 19 April 2007 concerning restrictive measures against Iran by replacing the text in its annex I and III in accordance with the provisions of Security Council resolution 1747 (2007).

Following the adoption of Security Council resolution 1803 (2008), the Commission of the European Union adopted **Commission Regulation (EC) No. 219/2008** of 11 March 2008 amending Council Regulation (EC) No. 423/2007 concerning restrictive measures against Iran, which amended the list of persons and entities to whom the freezing of funds and economic resources should apply in accordance with Security Council resolution 1803 (2008). In order to jointly implement resolution 1803 (2008) within the EU, the Council of the European Union adopted **Common Position 2008/479/CFSP** of 23 June 2008, which modifies Common Position 2007/140/CFSP, in order to give effect to the additional measures imposed by resolution 1803 (2008) and adopted Council Decision 2008/475/EC of 23 June 2008, which amended Council Regulation (EC) No. 423/2007 of 19 April 2007 by replacing the text in its annex V. The European Union also adopted **Council Common Position 2008/652/CFSP** of 7 August 2008 amending Common Position 2007/140/CFSP concerning restrictive measures against Iran, which gives effect to measures imposed by resolution 1803 (2008) and contains additional restrictive measures of the European Union.

Further legal instruments of the European Union applicable to implement Security Council resolutions concerning restrictive measures against Iran are:

- **Council Regulation (EC) No. 1334/2000** of 22 June 2000, setting up a Community Regime for the control of exports of dual-use items and technology;
- **Council Regulation (EC) No. 618/2007** of 5 June 2007, prohibiting the provision of technical and financial assistance, financing and investment related to arms and related material;

- **Council Regulation (EC) No. 562/2006** of 15 March 2006, establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).

2. National legislation and measures taken by the Republic of Hungary

Hungary is implementing its obligations under Security Council resolution 1803 (2008) concerning restrictive measures against Iran through its existing national legislation and instruments referred to in detail in Hungary's previous report to the Security Council Committee (see S/AC.50/2007/81) and measures taken by the Government of the Republic of Hungary.

Operative paragraphs 3 and 5: measures concerning the entry and transit of persons designated in annexes I and II to resolution 1803 (2008)

The competent Hungarian authorities have been informed of the provisions of Security Council resolution 1803 (2008) and have taken the necessary measures to implement them. In the Republic of Hungary **Act 32 of 1997 on the Border Guards and border guarding, and Act 39 of 2001 on the entry and residence of aliens**, continue to provide the legal basis for the implementation of the relevant provisions of Security Council resolutions concerning restrictive measures against Iran.

Operative paragraph 7: freezing of financial assets and economic resources and steps to prevent funds from being made available to the persons and entities listed in annexes I and III of resolution 1803 (2008)

Freezing of funds and economic resources of persons and entities designated by the Security Council Committee and the prohibition of making funds or economic resources available to such persons or entities fall within the exclusive competence of the European Community. These measures continue to be implemented in Hungary on the basis of Council Regulation (EC) No. 423/2007 as amended. In the Republic of Hungary **Act 5 of 2006 on Public Company Information and Court Registration Proceedings and Voluntary Dissolution**, continues to provide the legal basis for the implementation by the competent authorities of the relevant provisions of Security Council resolutions concerning restrictive measures against Iran.

Operative paragraph 8: embargo on items, materials, goods, equipment and technology that could contribute to nuclear and weapons delivery system programmes

With the implementation of Security Council resolution 1737 (2006), the European Union had already prohibited the export of goods which are now listed in operative paragraph 8 of Security Council resolution 1803 (2008). The export control list of dual-use items with regard to Iran is incorporated in EU Council Regulation (EC) No. 423/2007 as amended by Commission Regulation (EC) No. 441/2007.

The competent authorities taking part in the implementation of Security Council resolutions, the Hungarian Trade Licensing Office, the National Office for Research and Technology, the Hungarian Energy Office, the National Transport Authority and the Hungarian Investment and Trade Development Agency have been duly informed of Security Council resolution 1803 (2008) concerning restrictive measures against Iran and are applying the relevant provisions thereof in their

proceedings. The list of persons and entities listed in Security Council resolution 1803 (2008) is taken into consideration during the process of licensing of applications for export authorization.

Operative paragraph 9: vigilance in entering into new commitments for public provided financial support for trade with Iran, and **operative paragraph 10:** vigilance over the activities of financial institutions in the national territory with all banks domiciled in Iran, in particular Bank Melli and Bank Saderat

The Ministry of Finance of the Republic of Hungary has duly informed the institutions that may potentially be engaged in providing financial support for trade with Iran, including the granting of export credits, guarantees and insurance or be engaged in financial activities with Iran of the relevant provisions of Security Council resolution 1803 (2008). These institutions meet the requirements of the relevant EU regulations and the provisions of the Security Council resolution.

Operative paragraph 11: inspection of cargoes to and from Iran of aircrafts and vessels owned or operated by Iran Air Cargo and Iran Shipping Line

The relevant authorities responsible for implementation of export and transit controls, namely the Border Guard, the Police, the Office of Immigration and Nationality and the Customs and Finance Guard, have been instructed to increase the control of cargo with the destination of Iran in order to prevent the transfer of items prohibited by the resolution. The increased control includes the thorough inspection of transport documentation, checking of the vehicles and crafts, and itemized inspection of their cargo if deemed necessary.

United Nations S/AC.50/2008/60

Security Council

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22 September 2008
English
Original: Spanish

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 16 September 2008 from the Permanent Mission of Argentina to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Argentine Republic to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to enclose herewith, in addition to the note, a copy of Ministry of Foreign Affairs, International Trade and Worship resolution 1334/2008, which promulgates within the Argentine Republic the sanctions regime imposed on the Islamic Republic of Iran by Security Council resolution 1803 (2008) (see annex).

08-51504 (E) 240908 240908

Annex to the note verbale dated 16 September 2008 from the Permanent Mission of Argentina to the United Nations addressed to the Chairman of the Committee

2008 — Year of Science Teaching
Buenos Aires, 4 July 2008

Considering the provisions of Decree No. 1521 of 1 November 2004, Ministerial Resolutions No. 494 of 14 March 2007 and No. 617 of 9 April 2008 and the decisions taken by the United Nations Security Council in resolution 1803 (2008) concerning the Islamic Republic of Iran, and

Whereas:

Decree No. 1521/2004 stipulates that Security Council resolutions adopted under Chapter VII of the Charter of the United Nations which establish measures binding on Member States that do not involve the use of armed force but entail sanctions, as well as decisions regarding the amendment or termination thereof, shall be promulgated by the Ministry;

By its resolution 1737 (2006), the Security Council established a sanctions regime against the Islamic Republic of Iran;

By Ministerial Resolution No. 494/2007, the measures adopted by the Security Council in its resolution 1737 (2006) concerning the Islamic Republic of Iran were promulgated;

By its resolution 1747 (2007), the Security Council established further sanctions and reaffirmed those provided for in its resolution 1737 (2006);

By Ministerial Resolution No. 617/2008, the measures adopted by the Security Council in its resolution 1747 (2007) concerning the Islamic Republic of Iran were promulgated;

By its resolution 1803 (2008), the Security Council strengthened the measures set out in its previous resolutions;

It is necessary to promulgate the measures adopted in Security Council resolution 1803 (2008);

At the proposal of the Directorate for International Organizations, the appropriate action has been taken by the Directorate for North Africa and the Middle East, the Directorate for International Security and Nuclear and Space Affairs, the Directorate-General for Consular Matters, the Directorate-General for Legal Affairs, the Office of the Under-Secretary for Foreign Policy and this Ministry's Office of the Secretary for Foreign Affairs;

Now therefore,

The Minister for Foreign Affairs, International Trade and Worship

Resolves:

Article 1 — In conformity with Decree No. 1521 of 1 November 2004, the measures adopted by the United Nations Security Council in its resolution 1803 (2008) concerning the Islamic Republic of Iran, which, as an annex, shall form an integral part of the present resolution, are hereby promulgated.

Article 2 — Let it be known that this resolution has been adopted. It shall be published, transmitted to the National Official Registry and placed in the archives.

Resolution No. 1334

United Nations S/AC.50/2008/61

Security Council

Distr.: General
26 September 2008

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 25 September 2008 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to submit the report of the Government of the Republic of Croatia on the steps it has taken with a view to implementing relevant provisions of Security Council resolution 1803 (2008) (see annex).

08-52405 (E) 290908

Annex to the note verbale dated 25 September 2008 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee

Zagreb, September 15, 2008

Report of the Republic of Croatia to the Security Council Committee established pursuant to resolution 1737 (2006) on the national compliance with resolution 1803 (2008)

Legislative framework

The fundamental act regulating the introduction, implementation and abolishment of international restrictive measures is the Act on International Restrictive Measures (OG 178/04). Pursuant to Article 2 of the Act, Croatia shall introduce, implement or abolish international restrictive measures against states, international organizations, territorial entities, movements or legal and natural persons: (a) in order to implement international legally binding decisions of the United Nations, (b) upon alignment with restrictive measures of other international organizations, (c) in other cases according to international law.

Restrictive measures imposed by the relevant United Nations Security Council resolutions are implemented further to obligations assumed on the basis of the Charter of the United Nations, as an international treaty which, pursuant to the provisions of article 140 of the Constitution of the Republic of Croatia, is considered to be part of the internal legal order of the Republic of Croatia and above domestic law in terms of legal effects.

The Republic of Croatia adopted relevant national legal measures for the implementation of resolutions 1737 (2006), 1747 (2007) and 1803 (2008). Decisions on the introduction of international restrictive measures, their type, manner of implementation and abolishment are adopted by the Government of the Republic of Croatia and published in the Official Gazette.

Governmental decisions on the implementation of these resolutions include related annexes with complete lists of individuals, companies, financial institutions and commodities which are subject of restrictions.

Croatia shares the objectives of and regularly aligns itself with the EU common positions and declarations in the area of the Common Foreign and Security Policy concerning restrictive measures, when so invited by the EU. The legal basis for the implementation of these measures is provided for in the Act on International Restrictive Measures.

Institutional framework

Interagency Working Group for Monitoring the Implementation of International Restrictive Measures was established pursuant to the Act on International Restrictive Measures, as a permanent working group, composed of representatives from the Ministry of Foreign Affairs and European Integration, the Ministry of Economy, Labour and Entrepreneurship, the Ministry of the Interior, the Ministry of Defence, the Ministry of Finance, the Ministry of Justice and the

Ministry of the Sea, Transport and Infrastructure. The task of this Interagency Group is to make proposals for and monitor the implementation of the restrictive measures.

Depending on the type and content of international restrictive measures, relevant ministries and institutions are responsible for their implementation:

- carrying out the embargo on import and export of military and dual-use goods lies within the competence of the Ministry of Economy, Labour and Entrepreneurship in cooperation with interagency groups (Commission for the Issuing of Export and Import Licenses for Armament Items for Commercial Use; Commission for the Issuing of Export Licenses for Dual-use Goods);
- permission for persons to enter and transit through Croatia is the responsibility of the Ministry of Interior, i.e., Border Police, and of the diplomatic missions and consular offices of the Republic of Croatia abroad;
- freezing of assets and property lies within the competence of the Ministry of Finance, State Attorney's Office and courts, in cooperation with financial institutions;
- particular attention has been attached to all financial transactions related to restrictive and catch-all trade with Iran.